



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14160 of 2026

Thangaraj
S/o.Mariappan,
No.4/100, Poola Yari Gadu,
Kullamanakkyan Pattai,
Kottamedipatt Post,
Omalur taluk,
Salem District.

..Petitioner(s)

Vs

The State rep.by,
Inspector of Police,
Omalur Police Station,
Salem District.
Cr.No.258 of 2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge petitioner on anticipatory bail in the event of his arrest in Cr.No.258 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.M.Kalaiyaran

For Respondent(s): MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 4(1)(B) of Tamil Nadu Prohibition Act, in Crime No.258 of 2026 on the file of the respondent police seeks anticipatory bail.



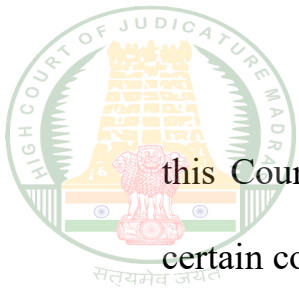
2. The case of the prosecution is that the petitioner was found in possession of 5 bottles (each containing 130 ml) and 5 bottles (each containing 90 ml) of Black Pearl Brandy. Hence, the present complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous cases against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Taking into consideration the totality of the circumstances of the case and that there is no previous cases against the petitioner, this Court is of the firm view, that custodial interrogation of the petitioner is not required. Hence,



this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Omalur**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.**



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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

05-06-2026

GBI

To

- 1.The Inspector of Police,
Omalur Police Station,
Salem District.
- 2.The Judicial Magistrate, Omalur.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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